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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/027,615	10/19/2001	Sunil S. Kadam	NA01-20501	2990
28875	7590	02/17/2005	EXAMINER	
Zilka-Kotab, PC P.O. BOX 721120 SAN JOSE, CA 95172-1120			ANANTHANARAYANAN, RAMYA	
			ART UNIT	PAPER NUMBER
			2131	
DATE MAILED: 02/17/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/027,615

Applicant(s)

KADAM ET AL.

Examiner

Ramya Ananthanarayanan

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on October 19, 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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1. Claims 1-21 have been examined.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 6-11, 13-18, and 20-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Yinger et al. (U.S. Patent 5,960,204).

With respect to claims 1, 8, and 15, Yinger et al. disclose a method (column 1, lines 49), computer readable medium (column 5, lines 8-12), and apparatus (Figure 1a, item 110a) to facilitate software installation using embedded user credentials, comprising:

Receiving a software installation package at a computer (column 6, lines 25-29);

Extracting an installation program from the software installation package (column 6, lines 25-29);

Determining if a current user has sufficient privileges to run the installation program (column 6, lines 13-17);

If the current user does not have sufficient privileges (column 10, lines 58-65),

Recovering a set of user credentials that is associated with sufficient privileges to run the installation program from the software installation package (column 10, lines 58-65), and

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Authenticating to the computer using the set of user credentials (column 10, lines 53-58); and

Running the installation program on the computer (column 11, lines 31-34).

With respect to claims 2, 9, and 16, Yinger et al. disclose the method, medium, and apparatus wherein the software installation package includes an agent (Figure 2, item 240), wherein the agent enforces security policies on the computer (column 6, lines 13-17).

With respect to claims 3, 10, and 17, Yinger et al. disclose the method, medium, and apparatus wherein the software installation package includes a plurality of sets of user credentials (column 10, lines 39-46).

With respect to claims 4, 11, and 18, Yinger et al. disclose the method, medium, and apparatus further comprising:

Recovering a second set of user credentials from the plurality of sets of user credentials if the set of user credentials failed during authentication (column 10, lines 64-65); and

Authenticating to the computer using the second set of user credentials (column 11, lines 1-4).

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With respect to claims 6, 13, and 20, Yinger et al. disclose the method, medium, and apparatus wherein the software installation package is received over a network (column 4, lines 4-5).

With respect to claims 7, 14, and 21, Yinger et al. disclose the method, medium, and apparatus wherein the software installation package is received on a storage medium (column 5, lines 8-12).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5, 12, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yinger et al. in view of Arnold (U.S. Patent 5,956,408).

Yinger et al. and Arnold are both analogous art because both are in the field of software.

With respect to claims 5, 12, and 19, Yinger et al. disclose that the set of user credentials is contained in the installation package (column 5, lines 8-12). Yinger et al. do not disclose the method, medium, and apparatus wherein the set of user credentials is encrypted. Arnold discloses the method, medium, and apparatus wherein the installation package (and hence the set of user credentials) is encrypted (column 6, lines 39-57).

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It would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Arnold with the teachings of Yinger et al. in order to prove that the data came from the manufacturer of the installed software (column 6, lines 54-57).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramya Ananthanarayanan whose telephone number is (571) 272-5860. The examiner can normally be reached on Monday through Friday, 8:30 -5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



ANDREW CALDWELL
SUPERVISORY PATENT EXAMINER

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